

## REMARKS

An Office Action was mailed on March 19, 2003. Claims 1 - 9 are pending in the present application. Applicant cancels claim 1 without prejudice or disclaimer, amends claim 9 to clarify the nature of his invention, and amends claims 2 - 8 to depend from amended claim 9. No new matter is introduced.

### REJECTIONS UNDER 35 U.S.C. §§ 102, 103

Claims 1, 2, and 4 - 6 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,028,863 to Sasagawa et al. Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sasagawa in view of U.S. Patent No. 6,289,018 to Song. Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sasagawa in view of Song and U.S. Patent No. 5,608,720 to Biegel et al. Claim 9, and apparently claim 3, rejected under 35 U.S.C. § 103(a) as being unpatentable over Sasagawa in view of U.S. Patent No. 5,638,364 to Sugita.

Applicant cancels claim 1 without prejudice or disclaimer, amends claim 9 to clarify the nature of his invention, amends claims 2 - 8 to depend from amended claim 9, and respectfully traverses these rejections.

In amended claim 9, In independent claim 9, Applicant discloses a transmission apparatus including an ATM/user interface making contact with a first user network management system for a CLAD outside of the apparatus, A LAN interface making contact with another a second network management system for a CLAD in the apparatus, and an external interface making contact with a customer network management agent process, and a switch for setting up at least one permanent, logically-defined resource management information path for communicating between the customer network

management agent process, the first user network management system and the second user network management system.

Sasagawa discloses an apparatus and method for negotiating a connection identifier between a device at a terminal unit and a device at an interconnecting network. With respect to Applicant's claim 9, the Examiner acknowledges that Sasagawa fails to disclose both a LAN interface connecting a network management system and transmission apparatus connecting two network management system concerning different CLADs. The Examiner cites that Sugita discloses a CLAD 12 interconnected to a LAN 15.

Neither Sasagawa nor Sugita alone or in combination explicitly disclose or suggest a mechanism for providing a LAN interface to a network management system of a CLAD in combination with an ATM interface to a network management system of a second CLAD and an external interface to a customer network management agent process. In addition, neither Sasagawa nor Sugita disclose or suggest using one or more logically defined resource management paths permanently set in a switch as communications channels between the customer network management agent process, the first user network management system and the second user network management system. While Sasagawa discloses a method for establishing communications via a permanent virtual circuit (see, e.g., column 10, lines 31 – 40 of Sasagawa), this is for the purpose of setting such a path to enable communications between communications devices in the network rather than between network management systems.

Accordingly, Applicants respectfully submit that independent claim 9 is neither anticipated nor made obvious by any combination of the cited references, and therefore

stands in condition for allowance. As claims 2 – 8 each depend from allowable claims 9, Applicant respectfully submits that claims 2 – 8 are also allowable for at least this reason.

#### CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 2 - 9, which include independent claim 9 and the claims that depend therefrom, stand in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



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